

# COUNTY OF SANTA BARBARA CALIFORNIA

# MONTECITO PLANNING COMMISSION

COUNTY ENGINEERING BUILDING 123 E. ANAPAMU STREET SANTA BARBARA, CALIFORNIA 93101-2058 PHONE: (805) 568-2000 FAX: (805) 568-2030

TO THE HONORABLE BOARD OF SUPERVISORS COUNTY OF SANTA BARBARA, CALIFORNIA

MONTECITO PLANNING COMMISSION HEARING OF SEPTEMBER 21, 2016

#### RE: Short-Term Rental Ordinance; 16ORD-00000-00011

Hearing on the request of the Planning and Development Department that the Montecito Planning Commission recommend the Board of Supervisors adopt an ordinance, Case no. 16ORD-00000-00011, amending Division 35.2, Montecito Zones and Allowable Land Uses, Division 35.3, Montecito Site Planning and Other Project Standards, and Division 35.10, Glossary of the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the land use of Short-Term Rentals.

The Ordinance proposes to implement new regulations and other revisions permitting the land use of Short-Term Rentals where other transient lodging uses are also permitted in the Resort/Visitor Serving Commercial (CV) zone district and to prohibit the land use of Short-Term Rentals in the Resource Management Zone (RMZ), One-Family Residential (R-1/E-1), Two-Family Residential (R-2), Design Residential (DR), Planned Residential Development (PRD), Neighborhood Commercial (CN), Recreation (REC), and Public Utilities (PU) zone districts in the Santa Barbara County Montecito Land Use and Development Code (MLUDC).

#### Dear Honorable Members of the Board of Supervisors:

At the Montecito Planning Commission hearing of September 21, 2016, Commissioner Brown moved, seconded by Commissioner Cole and carried by a vote of 4 to 0 (Phillips absent) to:

- 1. Make the findings for approval, including the CEQA findings, and recommend the Board make the findings for approval of the proposed ordinance amendment (Attachment A of the staff report dated September 14, 2016);
- 2. Recommend that the Board of Supervisors determine that the adoption of the proposed ordinance is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA (Attachment B of the staff report dated September 14, 2016); and

Montecito Planning Commission hearing of September 21, 2016 Short-Term Rental Ordinance; 16ORD-00000-00011 Page 2

3. Adopt the Resolution recommending that the Board of Supervisors adopt Case No. 16ORD-00000-00011, an ordinance amending the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code, to implement new regulations regarding the land use of Short-Term Rentals (Attachment C of the staff report dated September 14, 2016).

Sincerely,

Dianne M. Black

Secretary to the Montecito Planning Commission

ranne M. Black

cc: Case File: 16ORD-00000-00011

Planning Commission File

Dianne M. Black, Director Development Review Jenna Richardson, Deputy County Counsel Mindy Foggy, Interim Deputy Director

David Lackie, Supervising Planner

Jessica Metzger, Planner

Attachments:

Attachment A - Findings

Attachment C - Montecito Planning Commission Resolution

DMB/dmv

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#### ATTACHMENT A: FINDINGS

#### CASE NO. 16ORD-00000-00011

#### 1.0. CEQA FINDINGS

# 1.1 CEQA Guidelines Exemption Findings

1.1.1 The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the proposed project, 16ORD-00000-00011, is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). Please see Attachment B, Notice of Exemption, of this Montecito Planning Commission staff report, dated September 21, 2016, incorporated herein by reference.

#### 2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35.494.080.A (Findings for Comprehensive Plan, Development Code and Zoning Map Amendments) of the Santa Barbara County Montecito Land Use and Development Code the following findings shall be made by the Montecito Planning Commission in order to recommend approval of a text amendment to the Montecito Land Use and Development Code, and the Board of Supervisors shall adopt the following findings in order to approve a text amendment to the Montecito Land Use and Development Code:

2.1 The request is in the interests of the general community welfare.

The proposed ordinance amendment is in the interest of the general community welfare since the amendment will serve to (1) define a new land use titled "Short-Term Rental" and, (2) indicate those zones that allow the land use of a Short-Term Rental, as analyzed in the Montecito Planning Commission staff report dated September 21, 2016, which is hereby incorporated by reference.

2.2 The request is consistent with the County Comprehensive Plan, the requirements of state planning and zoning laws, and the Montecito Land Use and Development Code.

Adoption of the proposed ordinances, as analyzed in the Montecito Planning Commission staff report dated September 21, 2016, which is hereby incorporated by reference, will provide more effective implementation of the State planning and zoning laws by revising the Montecito Land Use and Development Code to provide a clear and efficient zoning standards that will benefit the public. The proposed ordinance defines the use of Short-Term Rentals and sets forth those zones that allow the land use of Short-Term Rentals. The proposed ordinance is consistent with the adopted policies and development standards of the Comprehensive Plan including the Montecito Community Plan. The proposed ordinance amendment is also consistent with the remaining portions of the Montecito Land Use and Development Code that are not revised by this ordinance. Therefore, these ordinances may be found to be consistent with the Comprehensive Plan including the Montecito Community Plan, the requirements of State Planning and Zoning Laws, and the Montecito Land Use and Development Code.

2.3 The request is consistent with good zoning and planning practices.

The proposed ordinance, as analyzed in the Montecito Planning Commission staff report dated September 21, 2016, which is hereby incorporated by reference, clearly and specifically

Short-Term Rental Ordinance; 16ORD-00000-00011 Attachment A - Findings Page A-2

addresses the use of land for Short-Term Rentals within the Montecito Community Plan boundary in the unincorporated area of Santa Barbara County. The ordinance is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values since it provides for clear direction on where Short-Term Rentals are allowed and prohibited which serves to minimize potential adverse impacts to the surrounding area. As discussed in Finding 2.2, above, the amendment is consistent with the Comprehensive Plan including the Montecito Community Plan, and Montecito Land Use and Development Code. Therefore, adoption of the proposed ordinance is consistent with sound zoning and planning practices to regulate land uses.

#### ATTACHMENT C

# RESOLUTION OF THE MONTECITO PLANNING COMMISSION COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING THAT THE	)	
BOARD OF SUPERVISORS ADOPT AN ORDINANCE	)	RESOLUTION NO. 16 - 19
(16ORD-00000-00011) AMENDING DIVISION 35.2,	)	12502011011110.10
MONTECITO ZONES AND ALLOWABLE LAND	)	Case No.:
USES, DIVISION 35.3, MONTECITO SITE PLANNING	)	16ORD-00000-00011
AND OTHER PROJECT STANDARDS, AND	)	3 -160:
DIVISION 35.10, GLOSSARY OF THE SANTA	)	
BARBARA COUNTY MONTECITO LAND USE AND	)	a a a gr
DEVELOPMENT CODE, OF CHAPTER 35, ZONING,	)	to the second
OF THE SANTA BARBARA COUNTY CODE, TO	)	
IMPLEMENT NEW REGULATIONS REGARDING	)	
THE LAND USE OF SHORT-TERM RENTALS.	)	

#### WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted the Santa Barbara County Montecito Land Use and Development Code, Section 35-2 of Chapter 35 of the Santa Barbara County Code.
- B. Staff facilitated meetings with the public and community organizations to gather community input on Short-Term Rentals in the County and how the use should or should not be operated and located.
- C. The establishment of an appropriate regulatory program for Short-Term Rentals in Commercial zoning will allow for alternate lodging opportunities for public access to the County as a visitor destination.
- D. The for profit nature of Commercial zoning districts makes them more appropriate for the use of Short-Term Rentals than Residential zoning districts.
- E. The intent of the Resource Management Zone, Recreation, and Public Utility zone districts does not support the allowance of the use of Short-Term Rentals.
- F. The intent of the Neighborhood Commercial zone district is to provide for the daily needs for food, drugs, gasoline, and other incidentals of residents to the area and is not appropriate for the use of Short-Term Rentals.
- G. After a duly noticed public hearing on November 18, 2015, the Montecito Planning Commission received a staff briefing and public comment on the use of Short-Term Rentals and directed staff to return with an ordinance allowing the use of Short-Term Rentals only in zoning districts that allow other transient lodging uses.

Montecito Planning Commission Short-Term Rental Ordinance September 21, 2016 Attachment C: Res for 16ORD-00000-00011 Page 2

- H. The Montecito Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an ordinance (Case No. 16ORD-00000-00011) amending Section 35-2 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Montecito Land Use and Development Code, define a new land use titled "Short-Term Rental" and, indicate those zones that allow the land use of a Short-Term Rental. Said ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.
- I. The proposed Ordinance is consistent with the Santa Barbara County Comprehensive Plan including the Montecito Community Plan, and the requirements of the State Planning, Zoning and Development Laws.
- J. This Montecito Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Ordinance at which hearing the proposed Ordinance was explained and comments invited from the persons in attendance.
- k. In compliance with Government Code Section 65855 which requires the Montecito Planning Commission's written recommendation on the proposed ordinances to include the reasons for the recommendation and the relationship of the proposed ordinances to applicable general and specific plans, the Montecito Planning Commission has determined that the proposed amendments and ordinances are consistent with the Comprehensive Plan, including community plans, as discussed in the findings in Attachment A of the Montecito Planning Commission staff report dated September 14, 2016, which is incorporated by reference.

#### NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. The Montecito Planning Commission now finds, consistent with its authority in Government Code Section 65855, that it is in the public interest to provide orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County to recommend that the Board of Supervisors:
  - a. Adopt a recommendation to the Board of Supervisors that the Board of Supervisors adopt an ordinance (16ORD-00000-00011) amending Division 35.2, Montecito Zones and Allowable Land Uses, Division 35.3, Montecito Site Planning and Other Project Standards, and Division 35.10, Glossary of the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the land use of Short-Term Rentals as set forth in Exhibit 1.
- 3. This Montecito Planning Commission endorses and transmits a certified copy of this Resolution to the Board of Supervisors in compliance with Government Code Section 65855.

Montecito Planning Commission Short-Term Rental Ordinance September 21, 2016 Attachment C: Res for 16ORD-00

Attachment C: Res for 16ORD-00000-00011

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4. The Chair of this Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to reflect the above described action by the Montecito Planning Commission.

PASSED, APPROVED AND ADOPTED by the Montecito Planning Commission of the County of Santa Barbara, State of California, this 21 day of September 2016, by the following vote:

AYES:

Brown, Overall, Keller, Cole

NOES:

ABSTAIN:

A DEENTE.

Phi/Tips

MICHAEL MULLIPS, CHAIR

Santa Barbara Montecito Planning Commission

M. Black

ATTEST:

DIANNE BLACK

Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI

COUNTY COUNSEL

Deputy County Counsel

Exhibit 1 - Short-Term Rental Ordinance (Case No. 16ORD-00000-00009)

#### EXHIBIT 1

<b>ORDINANCE</b>	NO.
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AN ORDINANCE AMENDING SECTION 35-2, THE SANTA BARBARA COUNTY MONTECITO LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING DIVISION 35.2 MONTECITO ZONES AND ALLOWABLE LAND USES, DIVISION 35.3 MONTECITO SITE PLANNING AND OTHER PROJECT STANDARDS, AND DIVISION 35.10 GLOSSARY, TO IMPLEMENT NEW REGULATIONS REGARDING THE LAND USE OF SHORT-TERM RENTALS.

Case No. 16ORD-00000-00011

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

#### **SECTION 1:**

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Services section of Table 2-4 Allowed Land Uses and Permit Requirements for Resource Protection Zone, of Section 35.422.030, Resource Protection Zone Allowable Land Uses, of Chapter 35.424, Resource Protection Zone, to read as follows:

Table 2-4  Allowed Land Uses and Permit Requirements for Resource Protection Zone	E Allowed use, no permit required (Exempt) P Permitted use, Land Use Permit required (2) CUP Conditional Use Permit required S Permit determined by Specific Use Regulations Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE	Specific Use
24.0000()	RMZ	Regulations
SERVICES		
Large family day care home	P	35.442.070
Small family day care home	E	35.442.070
Day care center, Non-residential	CUP	35.442.070
Day care center, Residential	CUP	35.442.070
Short-term rental	***************************************	

#### **SECTION 2:**

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Services section of Table 2-7 Allowed Land Uses and Permit Requirements for Residential Zones, of Section 35.423.030, Residential Zones Allowable Land Uses, of Chapter 35.423, Residential Zones, to read as follows:

Table 2-7 - Continued  Allowed Land Uses and Permit Requirements for Residential Zones	E Allowed use, no permit required (Exempt) P Permitted use, Land Use Permit required (2) CUP Conditional Use Permit required S Permit determined by Specific Use Regulations Use Not Allowed		
	PERMIT REQUI	Specific Use	
LAND USE (1)	R-1/E-1	R-2	Regulations
SERVICES	¥ (¥	4	22
Large family day care home	P	P	35.442.070
Small family day care home	Е	Е	35.442.070
Day care center, Non-residential	CUP	CUP	35.442.070
Day care center, Non-residential, accessory			35.442.070
Day care center, Residential	CUP	CUP	35.442.070
Medical services - Clinic		-	
Medical services - Extended care	CUP	CUP	
Medical services - Hospital	CUP	CUP	one of
Mortuary	· <u></u> 8 (0)		4 7 7
Mortuary, accessory to cemetery		<del></del>	
Short-term rental			

# **SECTION 3**:

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Services section of Table 2-8 Allowed Land Uses and Permit Requirements for Residential Zones, of Section 35.423.030, Residential Zones Allowable Land Uses, of Chapter 35.423, Residential Zones, to read as follows:

Table 2-8 - Continued  Allowed Land Uses and Permit Requirements for Residential Zones	E Allowed use, no permit required (Exempt) P Permitted use, Land Use Permit required (2) CUP Conditional Use Permit required S Permit determined by Specific Use Regulations Use Not Allowed		
LAND USE (1)	PERMIT REQU	Specific Use	
	DR	PRD	Regulations
SERVICES			
Large family day care home	P	P	35.442.070
Small family day care home	Е	E	35.442.070
Day care center, Non-residential	CUP	CUP	35.442.070
Day care center, Non-residential, accessory	P	. Р	35.442.070
Day care center, Residential	CUP	CUP	35.442.070
Medical services - Clinic			11 330
Medical services - Extended care	CUP	CUP	
Medical services - Hospital	CUP	CUP	
Short-term rental	_		

#### **SECTION 4:**

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Services - General section of Table 2-12 Allowed Land Uses and Permit Requirements for Commercial Zones, of Section 35.424.030, Commercial Zones Allowable Land Uses, of Chapter 35.424, Commercial Zones, to read as follows:

Table 2-12 - Continued  Allowed Land Uses and Permit Requirements for Commercial Zones	E Allowed use, no permit required (Exempt) P Permitted use, Land Use Permit required (2) CUP Conditional Use Permit required S Permit determined by Specific Use Regulations — Use Not Allowed PERMIT REQUIRED BY ZONE Specific Use		
LAND USE (1)	CN	CV	Regulations
SERVICES - GENERAL			
Charitable or philanthropic organization			
Large family day care home	P	P. 444	35.442.070
Small family day care home	Е	E	35.442.070
Day care center, Non-residential	CUP	CUP	35.442.070
Day care center, Non-residential, accessory	P	P gagas is	35.442.070
Day care center, Residential	CUP	CUP	35.442.070
Drive-through, facility	CUP		35.442.100
Furniture repair accessory to furniture store or interior decorator	CUP		
Lodging, Hotel or Motel	*****		
Lodging - Resort hotel, guest ranch	<del></del>	P	35,424,060
Lodging - Short-Term Rental		<u>P</u>	
Personal services	P	P (3)	***************************************
Vehicle services - Minor maintenance/repair	P		35.442.050

#### Key to Zone Symbols

CN /	Neighborhood Commercial
CV	Resort/Visitor Serving Commercial

#### Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required).
- (3) Use only allowed accessory and incidental to an approved resort or guest ranch.

#### **SECTION 5**:

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Services - General section of Table 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zones, of Section 35.425.030, Special Purpose Zones Allowable Land Uses, of Chapter 35.4254, Special Purpose Zones, to read as follows:

Table 2-14 - Continued  Allowed Land Uses and Permit Requirements for Commercial Zones	P Permitted CUP Conditions	se, no permit required ( use, Land Use Permit r al Use Permit required ermined by Specific Us llowed	equired (2)
LAND USE (1)	PERMIT REQUI	with the branch that he talked with a contract of the second state of	Specific Use Regulations
SERVICES - GENERAL		10.00	
SERVICES - GENERAL			
	Р		35.442.070
Large family day care home	P E		35.442.070 35.442.070
Large family day care home Small family day care home	P E CUP	CUP	
		CUP	35.442.070

#### Key to Zone Symbols

Recreation	1	1.0
Public Utilities		X -

#### Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.425.030.C (Development Plan approval required).

#### **SECTION 6:**

ARTICLE 35.3, Montecito Site Planning and Other Project Standards, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Table 3-5 Nonresidential Parking Standards of Section 35.436.060, Required Number of Spaces: Nonresidential Uses, of Chapter 35.436, Parking and Loading Standards, to read as follows:

Table 3-5 - Nonresidential Parking Standards

Recreation, Education & Public Assembly Uses	Parking Spaces Required
Library, museum, art gallery, or similar use	1 space per 2 employees and; 1 space per 300 square feet of gross floor area
Religious institutions, school auditoriums, college auditoriums, theaters, general auditoriums, stadiums, mortuaries, lodges, halls, and other places of general assembly	With fixed seats - I space per 4 fixed seats Without fixed seats - I space per 30 square feet of auditorium floor space
Racquetball and tennis facility	1.5 spaces per court

School - College	1 space per 5 students and; 1 space per 3 employees	
School - Day school or Nursery school	1 space per 10 students and; 1 space per 2 employees	
School - Elementary and Middle School	1.5 spaces per teaching station	
School - High School	6 spaces per teaching station	
Spas, health clubs, etc.	space per 200 square feet of spa area and;     space per 500 square feet of area related to the spa facilities	
Spectator seating	1 space per 5 seats or 1 space per 35 square feel of seating area	
Swimming pools, public	1 space per 200 square feet of pool area and; 1 space per 500 square feet of area related to pool facilities	
Retail Trade	Parking Spaces Required	
Furniture and appliance stores, hardware stores	1 space per 1,000 square feet of gross floor area	
Restaurants, cafes, , etc.	1 space per 300 square feet of space devoted patrons and; 1 space per 2 employees	
Retail business and general commercial	1 space per 500 square feet of gross floor area	
Services & Offices - Business, Financial, Professional	Parking Spaces Required	
Business and professional offices e.g., banks, lawyers' offices	1 space for each 300 square feet of gross floor area	
Hotels/motels	1 space per guest room and; 1 space per 5 employees	
Medical services - extended care	1 space per 3 beds and; 1 space per 3 employees	
Medical services - hospitals	1 space per 2 beds and; 1 space per 3 employees	
Medical services - medical clinics, medical and dental offices	1 space per 200 square feet of gross floor area	
Short-Term Rental	1 space per bedroom	

# **SECTION 7:**

ARTICLE 35.10, Glossary, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Section 35.500.020, Definitions of Specialized Terms and Phrases, of Chapter 35.500, Definitions, to amend the existing definition of "Lodging" to add the definition of "Short-Term Rentals" to read as follows:

# Lodging.

- 1. Boarding or Rooming House. A residence or dwelling, other than a hotel, where the business of keeping boarders is generally carried on and which is held out by the owner or keeper as a place where boarders are kept.
- 2. Guest Ranch. A vacation resort, generally a farm or ranch, that derives all or part of its income from the use of its facilities by paying visitors or guests, and provides food, lodging, and recreational activities.

- 3. Hostel. Overnight sleeping accommodations that provide supervised and inexpensive lodging for travelers, and may provide kitchen and eating facilities. Occupancy is generally of a limited duration.
- 4. Hotel. A building or group of buildings containing six or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who, for compensation, are lodged with or without meals, but not including a trailer court or camp, sanitarium, hospital, asylum, orphanage or building where persons are housed under restraint.
- 5. Motel. A transient lodging establishment containing six or more rooms with at least 25 percent of all rooms having direct access to the outside without the necessity of passing through a main lobby.
- 6. Resort Hotel. A hotel which serves as a destination point for visitors. A resort generally provides recreational facilities for persons on vacation. A resort shall be self-contained and provide personal services customarily furnished at hotels, including the serving of meals. Buildings and structures in a resort should complement the scenic qualities of the location in which the resort is situated.
- 7. Short-Term Rental. A structure which is permitted to be rented for overnight lodging in compliance with this Development Code, in whole or in part and with or without the presence onsite of the Owner or representative of the Owner, that is rented for 30 consecutive days or less.

#### **SECTION 8:**

ARTICLE 35.10, Glossary, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Section 35.500.020, Definitions of Specialized Terms and Phrases, of Chapter 35.500, Definitions, to add the following new definitions of "Short-Term Rental" and "Transient" to read as follows:

#### Short-Term Rental. See "Lodging".

<u>Transient.</u> Occupancy of a dwelling or lodging use for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days.

#### **SECTION 9:**

All existing indices, section references, and figure and table numbers contained in Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

# **SECTION 10:**

Except as amended by this Ordinance, Division 35.2 Montecito Zones and Allowable Land Uses, Division 35.3 Montecito Site Planning and Other Project Standards, and Division 35.10 Glossary, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35,

Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

# SECTION 11.

This ordinance shall take effect 30 days from the date of its passage and be in force 270 days following the effective date of the ordinance. Before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

Page 8 PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this , 2016, by the following vote: day of AYES: NOES: ABSTAIN: ABSENT: PETER ADAM, CHAIR BOARD OF SUPERVISORS COUNTY OF SANTA BARBARA ATTEST: MONA MIYASATO, COUNTY EXECUTIVE OFFICER CLERK OF THE BOARD By Deputy Clerk APPROVED AS TO FORM: MICHAEL C. GHIZZONI COUNTY COUNSEL Ву

Montecito Planning Commission Short-Term Rental Ordinance

Deputy County Counsel

September 21, 2016 Attachment A - Exhibit 1

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